

AFFIDAVIT

1) AFFIANT/AGENT.

I, Nathan Adams, a Border Patrol Agent of the United States Border Patrol, Customs and Border Protection, have been employed by the USBP/CBP for approximately 19 years and am currently assigned to the Grand Forks Sector Prosecution Unit.

Your affiant has reason to believe that SANTAMARIA-Santos, Yaver Josue (DOB: XX/XX/1997, COC: Honduras), illegally reentered the United States after being removed in violation of 8 U.S.C. § 1326(a)(1).

2) INITIAL ENCOUNTER.

On June 9, 2025, North Dakota Highway Patrol Trooper Mohs contacted Grand Forks Sector Dispatch and requested Border Patrol assistance. Trooper Mohs performed a traffic stop on a vehicle for speeding near Gardner, ND. The driver identified as Yaver SANTAMARIA-Santos presented a Honduran identification card and had difficulty communicating in the English language. Trooper Mohs used a translation app to communicate with SANTAMARIA. While speaking with the Trooper, SANTAMARIA stated he never had a driver's license, had been in the United States for six years, and he was not in the United States legally. The Trooper then contacted Border Patrol for assistance.

Grand Forks Sector Dispatch conducted records checks on SANTAMARIA and returned with an immigration arrest record. Border Patrol Agent (BPA) Prichard contacted Trooper Mohs telephonically and requested to meet with the Trooper in Hillsboro, ND to take custody of SANTAMARIA.

BPA Prichard met Trooper Mohs at the Cenex in Hillsboro, ND at approximately 10:20 AM. BPA Prichard identified himself as a Border Patrol Agent and conducted an immigration inspection on SANTAMARIA in the Spanish language. SANTAMARIA admitted to being illegally present in the United States. SANTAMARIA was then placed under arrest and read his Miranda Rights in the Spanish language, to which he acknowledged that he understood. SANTAMARIA was taken to the Pembina Border Patrol Station for processing.

3) POST ARREST INVESTIGATION.

Upon arriving at the Pembina Border Patrol Station, SANTAMARIA was enrolled into NGI/IDENT, a computerized fingerprint identification system. The NGI/IDENT results returned with positive immigration history showing that the subject had been removed one (1) time.

SANTAMARIA is a citizen and national of Honduras.

4) IMMIGRATION HISTORY:

1. Date: April 21, 2018
Agency: U.S. Border Patrol – Laredo, Texas
Charge: INA 212(a)(7)(A)(i)(I) – Immigrant without an Immigrant Visa
Disposition: SANTAMARIA was removed to Honduras on May 7, 2018, at Brownsville, TX airport.

5) MIRANDA RIGHTS/CONSULAR NOTIFICATION.

On June 9, 2025, BPA Prichard witnessed by BPA Oliver notified SANTAMARIA of his Miranda Rights per Service Form I-214. SANTAMARIA acknowledged his rights by signing the Service Form I-214 and was willing to answer questions. Once questioning began, SANTAMARIA chose not to answer questions without a lawyer present.

BPA Prichard notified SANTAMARIA of his right to consular communication. SANTAMARIA requested to speak to a Consular officer and the Consular of Honduras in Chicago was contacted at 1:27 PM.

No record could be found to indicate that SANTAMARIA has ever applied for or been granted permission to reenter the United States by the Attorney General or by his successor, the Secretary of the Department of Homeland Security.

In my experience, the above facts constitute a violation of 8 U.S.C. § 1326(a)(1).

The foregoing is true and correct to the best of my knowledge and belief.



Nathan Adams
United States Border Patrol Agent

Sworn before me, this 10th day of June 2025, in ~~Grand Forks, North Dakota~~ ^{Washington, DC}, through reliable electronic means.



Alice R. Senechal
United States Magistrate Judge

